



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,268	12/29/2000	Johan Andersson	45060-00006USPX	8951

7590 09/28/2004

Richard J. Moura, Esq.  
Jenkins & Gilchrist, P.C.  
Suite 3200  
1445 Ross Avenue  
Dallas, TX 75202-2799

EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/751,268

**Applicant(s)**

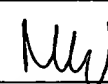
ANDERSSON ET AL.

**Examiner**

Geoffrey Akers

**Art Unit**

3625



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 66-80 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 66-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. This action is issued in reply to applicant's Amendment dated 8/5/04.
2. All of the original claims 1-65 were canceled. New claims 66-80 were added.
3. New claims 66-80 are pending.

***Claim Rejections - 35 USC § 103***

4. New claims 66-80 are rejected under 35 USC 103(a) as unpatentable over Cornett(US Pat. No: 5,216,612) in view of Beasley(US Pat. No: 4,827,423).

.....

5.(New) As per claim 66 Cornett teaches a method for effecting replacement of equipment in an industrial plant(Abstract) implemented in a computerized system for automatic control of the equipment(Abstract) said system including a software object for the equipment where the method comprises storing information related to the automatic control of the equipment in the object(col 3 lines 7-19) and performing functions in the equipment related to the information in the object(col 3 line 34-44) and obtaining and storing maintenance and monitoring information related to the equipment in the object(col 21 lines 30-51) and determining whether the equipment is to be replaced based on information in the object equipment when it is determined that the equipment should be replaced(col 15 line 62-col 16 line 9).In addition to that taught by Corbett, Beasley teaches initiating procurement(Fig 8). It would have been obvious to one skilled in the art at the time of the invention to combine Corbett in view of Beasley to teach the disclosure. The motivation to combine is to teach a computer implemented system

Art Unit: 3625

where various functions are controlled in a plant including parts maintenance and process control data as enunciated by Beasley(col 1 lines 46-56).

6.(New) As per claim 67 Corbett teaches the method of claim 66 wherein the step of determining comprises determining whether the equipment is to be replaced based on detected failures in the equipment(col 3 lines 7-19) .

7(New) As per claim 68 Corbett teaches the method of claim 66 or 67.In addition to that taught by Corbett, Beasley teaches wherein the step of determining comprises the step of determining whether the equipment is it be replaced based on calculations that include information related to condition monitoring(col 2 lines 7-60). It would have been obvious to one skilled in the art at the time of the invention to combine Corbett in view of Beasley to teach the disclosure. The motivation to combine is to teach a computer implemented system where various functions are controlled in a plant including parts maintenance and process control data as enunciated by Beasley(col 1 lines 46-56).

8.(New) As per claim 69 Corbett teaches the method of claim 66 or 67 wherein the step of determining comprises the step of determining whether the equipment is to be replaced based on calculations that include information related to the characteristics of use or loading of the equipment(Fig 6/35)(Fig 1).

9. (New) As per claim 70 Corbett teaches the method of claim 66 or 67 wherein the step of determining comprises the step of determining whether the equipment is to be replaced based on calculations that include information related to the amount of use of the equipment(Fig 6/35)(Fig 5)(Fig 1).

Art Unit: 3625

10. (New) As per claim 71 Corbett teaches the method of claim 66 or 67 wherein the step of determining comprises the step of determining whether the equipment is to be replaced based on calculations that include information related to the expected lifetime of the equipment(col 4 lines 39-49).

11. (New) As per claim 72 Corbett teaches the method of claim 66 further comprising wherein the step of determining comprises the step of deriving the object from an object type wherein instance specific data is used together with information in the object type to facilitate procurement (col 4 lines 50-66)

12(New) As per claim 73 Corbett teaches the method of claims 66,67, or 72 further comprising the step of determining to procure replacement equipment based on information presented by object(col 15 line 62-col 16 line 9).

13.(New) As per claim 74 Corbett teaches the method of claim 66,67 or 72 further comprising automatically determining to procure replacement equipment(col 4 lines 39-46).

14.(New) As per claim 75 Corbett teaches the method of claim 73 further comprising the step of carrying out the procurement of replacement equipment through e-procurement(col 15 line 62-col 16 line 9)(col 22 line 59-col 23 line 11).

15.(New) As per claim 76 Corbett teaches the method of claim 75 further comprising the step of carrying out the procurement in accordance with a standard e-procurement procedure(Abstract).

---

Art Unit: 3625

16(New) As per claim 77 Corbett teaches the method of claim 75 whereby an e-procurement scheme or other information required for the procurement is held by the object that represents the equipment(col 4 lines 50-56).

17.(New) As per claim 78 Corbett teaches the method of claim 73. further comprising the step of providing an approval stage for the procurement process. In addition to that taught by Corbett, Beasley teaches the step of providing approval stage for the procurement process(Fig 8/400/402/404/406/408/410/412). It would have been obvious to one skilled in the art at the time of the invention to combine Corbett in view of Beardsley to teach the disclosure. The motivation to combine is to teach a computer implemented system where various functions are controlled in a plant including parts maintenance and process control data as enunciated by Beasley(col 1 lines 46-56).

18.(New) As per claim 79 Corbett teaches the method of claim 78. In addition to that taught by Corbett, Beardsley teaches wherein the step of providing an approval stage comprises the step of conditionally invoking the approval stage based on the procurement process exceeding a predetermined amount of money(Fig 8-all). It would have been obvious to one skilled in the art at the time of the invention to combine Corbett in view of Beasley to teach the disclosure. The motivation to combine is to teach a computer implemented system where various functions are controlled in a plant including parts maintenance and process control data as enunciated by Beasley(col 1 lines 46-56) and incorporating efficient purchase methods.

19.(New) As per claim 80 Corbett teaches the method of claim 73 wherein the step of determining to procure equipment comprises the step of negotiating a price of

equipment(col 29 line 32-col 34 line 8) and providing delivery conditions(col 15 line 62-col 16 line 16) prior to placing an order.

***Conclusion***

**20. THIS ACTION IS MADE FINAL.**

\*\*\*\*\*

Questions regarding this communication may be addressed to the primary examiner, Dr. Geoffrey Akers, P.E., who can be contacted at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to reach the primary examiner are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

September 23,2004



**DR. GEOFFREY R. AKERS  
PRIMARY EXAMINER**